



OFFICE OF THE CITY CLERK ▪ CITY OF BINGHAMTON

Teri Rennia, City Council President

Angela Holmes, City Clerk

BOARD OF ESTIMATE AND APPORTIONMENT

MEETING MINUTES

DPW Conference Room, 3rd Floor City Hall

Wednesday January 30, 2013

Call to Order. Called to order at 11:20am by Mayor Ryan.

Present: Matthew T. Ryan, Mayor; Charles Pearsall, Comptroller; Kenneth J. Frank, Corporation Counsel; Philip T. Krey, City Engineer; Luke Day, Commissioner of Public Works

Absent: None

Also Present: Gerald Kennicutt, Deputy Comptroller; Angela Holmes, City Clerk

ITEMS CONSIDERED

85 Glenwood Avenue. Offer to Purchase 85 Glenwood Avenue for \$500, submitted by Kathryn Sirsen on June 27, 2012. Sent to the Assessor's Office, the Office of Building & Construction/Code Enforcement and the Department of Planning, Housing and Community Development on June 28, 2012. Scott Snyder responded on June 28, 2012 stating that he does not object to the sale as long as the proposed portion of the lot to be bought is combined with the owners adjoining property. Tom Costello responded June 28, 2012 stating he has no objection to the sale, with the caveat that sufficient frontage along Glenwood Avenue should be reserved for future development consistent with existing character of the neighborhood (Neighborhood Commercial). Caroline Quidort responded June 28, 2012 stating that the PHCD has no objection to the sale of 85 Glenwood Avenue. Angela Holmes contacted the applicant on July 26, 2012 to inquire whether or not a metes and bounds survey was obtained. Applicant responded on July 31, 2012, stating that a metes and bounds survey was not obtained; the applicant submitted a deed description instead. Caroline Quidort responded on August 22, 2012 stating that the submitted document seems to describe the transfer of two previously subdivided lots ("lot 2" and "lot 3"), a one re-formed lot, to one party in 1980. Ms. Quidort stated that while the lot dimensions described in the document roughly measure those of the proposed subdivision and sale, there are some discrepancies between the stated lot dimensions and those measured on site and indicated on the current Broome County tax map, particularly along the northern property line. While the Broome County tax map data is not exact, it appears that an accurate survey of the property should be required prior to subdivision and sale to Ms. Sirsen. Phil Krey presented a topographical survey of the property to E&A on October 24, 2012, and stated that Planning will need to compare this map with the deed description to see if the two records are consistent. E&A noted that the City cannot subdivide the property without obtaining a metes and bounds survey from the applicant. Tarik Abdelazim responded on December 5, 2012, and stated PHCD has no objection to splitting the lot, and allowing the applicant to acquire the portion that faces Miles Street, provided that the applicant would need to obtain a professional survey.

Offer to Purchase Approval Process. The Assessor's Office, the Office of Building & Construction/Code Enforcement and the Department of Planning, Housing and Community Development will compile a list of City-owned properties available for sale.

Lease Agreement for Lee Barta Community Center. Request to approve the lease of a portion of the Lee Barta Community Center to United Way of Broome County. Presented by Kenneth J. Frank.



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Budget Transfer. Request to transfer \$7,161.13 from budget line G8110.51000 (Salaries) to budget line G8110.54562 (Postage). Submitted by Joseph Yannuzzi, Water/Sewer Superintendent.

Motion to approve budget transfer.

Moved by Frank, seconded by Day.

Motion carried. (Vote 5-0)

Ayes: Ryan, Pearsall, Frank, Krey, Day

Nays: None

Budget Transfers. Request to transfer various funds within the 2012 Department of Public Works budget. Submitted by Luke Day. Requested transfers are as follows:

1. Transfer \$2,826.00 from budget line A1650.52600 (Equipment) to budget line A1650.51900 (Overtime);
2. Transfer \$2,198.17 from budget line A1650.54102 (General Operating) to budget line A1650.51900 (Overtime);
3. Transfer \$1,268.69 from budget line A1650.54410 (Professional Services) to budget line A1650.54202 (Electricity);
4. Transfer \$23,202.43 from budget line A5142.54414 (Snow Removal/Salting) to budget line A5142.51000 (Personal Services);
5. Transfer \$94.49 from budget line A5142.54414 (Snow Removal/Salting) to budget line A5142.51900 (Overtime);
6. Transfer \$3,039.03 from budget line A5182.54220 (Street Lighting) to budget line A5182.51900 (Overtime);
7. Transfer \$14,653.12 from budget line A8160.51000 (Personal Services) to budget line A8160.51900 (Overtime);
8. Transfer \$2,657.91 from budget line A1620.54202 (Electricity) to budget line A1620.51900 (Overtime);
9. Transfer \$8,792.24 from budget line A1620.54202 (Electricity) to budget line A1620.54201 (Gas/Heat);
10. Transfer \$25,000 from budget line A1620.54202 (Electricity) to budget line A1620.54663 (Shared Maintenance B.C.); and
11. Transfer \$9,138.33 from budget line A1640.54112 (Gasoline/Diesel Fuel) to budget line A1640.54114 (Lubricants).

Motion to approve budget transfers.

Moved by Pearsall, seconded by Frank.

Motion carried. (Vote 5-0)

Ayes: Ryan, Pearsall, Frank, Krey, Day

Nays: None

Lease Agreement for Use of Ely Park Golf Course Garage. Request to enter into an agreement to place a television antenna upon the Ely Park Golf Course maintenance garage, submitted by Kenneth Johnson on January 4, 2013. Sent to the Assessor's Office, the Office of Building & Construction/Code Enforcement and the Department of Planning, Housing and Community Development on January 15, 2013. Scott Snyder responded on January 15, 2013. He is not in favor of this agreement, due to the current use and lease of the property. Tom Costello responded on January 15, 2013. He noted that the applicant applied for a use variance from Zoning Board of Appeals, which was denied due to opposition from local residents. Costello noted that he did not know if the garage/maintenance building has the structural capacity to support the proposed tower. Tarik Abdelazim responded on January 15, 2013. He noted for the record that the City sold 15 Harding Avenue to Kenneth Johnson with the understanding that he wanted to place a radio tower/antenna on the property. Sale was approved by City Council on September 21, 2011 (Permanent Ordinance 11-34), with the



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condition that the proposed use was subject to approval from ZBA and Planning Commission. Tarik noted that the applicant needed to obtain a Series A Site Plan approval and use variance. The use variance was recommended by PHCD staff, but was denied by ZBA because of residential opposition. Kenneth Frank responded on January 15, 2013, stating that the City and the operator of the Ely Park Golf Course would have to agree to this proposal. Regarding 15 Harding Avenue, Mr. Johnson was advised to apply to ZBA and Planning Commission before he accepted title to the property. Since the use of the property is limited to the antenna, it is not known why he accepted the title without the necessary approvals. E&A reviewed the request on January 30, 2013, and recommended that Mr. Johnson contact Ely Park Golf Course directly to determine if they would be interested in allowing this activity.

Adjournment. Motion to adjourn 11:40am.

Moved by Krey, seconded by Day.

Voice vote, none opposed.